

Attorney's Docket No. SURG-001

DECLARATION AND POWER OF ATTORNEY

As the below named inventor, I hereby declare that:

The residence, mailing address and citizenship are stated below next to my name.

I believe that I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled "METHOD FOR MAKING INFECTION-RESISTANT FABRICATED TEXTILE ARTICLES FOR BIOMEDICAL APPLICATIONS", the Specification of which:

\_\_\_\_\_ is attached hereto; or  
XXXX was filed on June 7, 2001 as United States Application  
Serial No. 09/876,604; or  
\_\_\_\_\_ was filed on \_\_\_\_\_ as PCT International Application  
No. \_\_\_\_\_ and was amended on \_\_\_\_\_.

I hereby state that I have received and understand the contents of the above-identified Specification, including the claims, as amended by any amendment specially referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in 35 U.S.C. 1.56, including material information which became available between the filing date of the prior application and the National or PCT International filing date of the continuation-in-part application, if applicable.

.....  
\_\_\_\_\_ I hereby claim foreign priority benefits under Title 35, United States Code, Sections 119 (a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate, or any PCT international application having a filing date before that of the application on which priority is claimed:

PRIOR FOREIGN APPLICATION(S)

Priority claimed

.....NONE.....  
(Number) (Country) (Day/month/year/filed)

Yes No

.....  
\_\_\_\_ I hereby claim the benefit under 35 U.S.C. 119(e) of any listed United States Provisional Patent Application(s) listed below:

.....NONE.....

.....  
\_\_\_\_ I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each the claims of this application is not disclosed in the prior United States or PCT international application(s) in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined 37 C.F.R. 156 which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

.....NONE.....  
(Application Serial No.) (Filing Date) (Status)

.....  
POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney to prosecute this application and transact all business in the Patent and Trademark Office connected therewith; and, in addition, to act as Agent on my behalf before the competent International Authorities and before the National Authorities for any designated countries in connection with any and all international applications filed or to be filed by the undersigned.

David Prashker  
Registration Number 29,693

.....  
SEND CORRESPONDENCE TO: David Prashker, P.C.  
P.O. Box 5387  
Magnolia, Massachusetts 01930

.....  
 DIRECT TELEPHONE CALLS TO: David Prashker, Esq.  
 (978) 525-3794

DIRECT FACSIMILE TRANSMISSIONS TO: (978) 525-3791

\*\*\*\*\*  
 I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Full Name of first inventor: Matthew D. Phaneuf

Inventor's Signature: Matthew D. Phaneuf Date: 9/25/01

Residence: Ashland, Massachusetts Citizenship: U.S.

Mailing Address: 29 Oak Street  
 Ashland, Massachusetts 01721

\*\*\*\*\*  
 Full Name of Second Inventor: William C. Quist

Inventor's Signature: William C. Quist Date: 9/25/01

Residence: Brookline, Massachusetts Citizenship: U.S.

Mailing Address: 125 Pleasant Street  
 Brookline, Massachusetts 02446

.....

Full Name of Third Inventor: Martin J. Bide

Inventor's Signature: Martin Bide Date: 4 Oct 01

Residence: Wakefield, Rhode Island

Citizenship: ~~U.S.~~ UK

Mailing Address: ~~256 Willard Avenue~~ 658 Rose Hill Rd.  
Wakefield, Rhode Island 02879

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Full Name of Fourth Inventor: Frank W. LoGerfo

Inventor's Signature: [Signature] Date: 9/25/01

Residence: Belmont, Massachusetts

Citizenship: U.S.

Mailing Address: 155 Lewis Road  
Belmont, Massachusetts 02478

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Phaneuf et al.  
Serial No. : yet to be provided  
Filed : herewith  
For : "METHOD FOR MAKING INFECTION-  
RESISTANT FABRICATED TEXTILE ARTICLES  
FOR BIOMEDICAL APPLICATIONS"  
Attorney's Docket No : SURG-001

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WRITTEN ASSERTION OF SMALL ENTITY STATUS  
PURSUANT TO 37 C.F.R. 1.27

Assistant Commissioner for Patents  
Box Patent Application  
Washington, D.C. 20231


Dear Sir:

Pursuant to the provisions of 37 C.F.R. 1.27 as amended  
and effective September 8, 2000 and in accordance with Section  
1.27(c) in particular, the above-identified applicants hereby  
formally present and file their written assertion of entitlement to  
Small Entity status.

Respectfully submitted,

PHANEUF et al.

Date: June 7, 2001  
P.O. Box 5387  
Magnolia, Massachusetts 01930  
Tel.: (978) 525-3794

By:   
David Prashker  
Reg. No. 29,693  
Attorney for applicants